

Ifw  
Box Seq ✓

Practitioner's Docket No. **MPI93-006CP1DV1ACN1DV1M**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	Sundelin, Johan, et al		
Application No.:	10/643,627	Group No.:	1636
Filed:	August 19, 2003	Examiner:	Guzo, David
For:	RECOMBINANT C140 RECEPTOR ITS AGONISTS AND ANTAGONISTS, AND NUCLEIC ACIDS ENCODING THE RECEPTOR		

**Mail Stop Amendment**

**Commissioner for Patents**

**P.O. Box 1450**

**Alexandria, VA 22313-1450**

**AMENDMENT AND RESPONSE TRANSMITTAL**

1. Transmitted herewith for this application are:
  - a. This Amendment and Response Transmittal (2 pages);
  - b. Amendment and Response (3 pages);
  - c. Copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (1 page);
  - d. Submission of "Sequence Listing" (4 pages) with one 3 1/2" diskette containing Sequence Listing in computer readable form under 37 CFR 1.821(e) and a paper copy of Sequence Listing (30 pages); and
  - e. Return receipt postcard.

**STATUS**

2. Applicant is other than a small entity.

**PETITION FOR EXTENSION OF TIME**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that an extension of time is not required. However, if an extension of time is required, please consider this a petition therefor.

Fee: \$0.00

Extension fee due with this request \$0.00

**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\***

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

- ☒ deposited with the United States Postal Service in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. SECTION 1.8(a)**


**37 C.F.R. SECTION 1.10\***

- ☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee" Mailing Label No.

**TRANSMISSION**

- ☐ transmitted by facsimile to the Patent and Trademark Office.

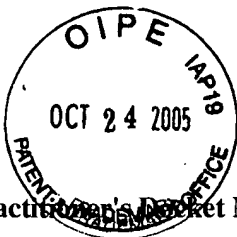
  
Signature

Sean Hunziker

(type or print name of person certifying)

Date: October 20, 2005

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b). "Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.



Practitioner's Docket No. MPI93-006CP1DV1ACN1DV1M

If an additional extension of time is required, please consider this a petition therefor.

### FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)			(Col. 2)		(Col. 3)		OTHER THAN A SMALL ENTITY		
Claims Remaining After Amendment			Highest No. Previously Paid For		Present Extra		Rate	Addit. Fee	
Total	17	Minus	20	=	0	\$50.00	=	\$0.00	
Indep.	3	Minus	3	=	0	\$200.00	=	\$0.00	
First Presentation of Multiple Dependent Claims			no				\$360.00	=	\$0.00
						Total Addit. Fee			\$0.00

Total additional fee for claims required \$0.00

### FEE PAYMENT

5. Charge Account No. 501668 the sum of \$0.00 (which includes the \$0.00 extension fee and the \$0.00 additional fee for claims). A duplicate of this transmittal is attached.

### FEE DEFICIENCY

6. If any additional extension and/or fee is required, charge Account No. 501668.  
If any additional fee for claims is required, charge Account No. 501668.

7. Correspondence Address  
Direct all future correspondence to:

**Customer Number 30405**  
OR

Intellectual Property Department  
MILLENNIUM PHARMACEUTICALS, INC.  
40 Landsdowne Street  
Cambridge, MA 02139

October 20, 2005

MILLENNIUM PHARMACEUTICALS, INC.

By

Tracy M. Sioussat  
Tracy M. Sioussat, Ph.D.

Registration No. 50,609  
40 Landsdowne Street  
Cambridge, MA 02139  
Telephone - 617-374-7679  
Facsimile - 617-551-8820



Practitioner's Packet No. MPI93-006CP1DV1ACN1DV1M

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:	Johan Sundelin, et al.		
Application No.:	10/643,627	Group No.:	1636
Filed:	August 19, 2003	Examiner:	Guzo, David
For:	RECOMBINANT C140 RECEPTOR ITS AGONISTS AND ANTAGONISTS, AND NUCLEIC ACIDS ENCODING THE RECEPTOR		

**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**SUBMISSION OF "SEQUENCE LISTING," COMPUTER READABLE COPY,  
AND/OR AMENDMENT PERTAINING THERETO  
FOR BIOTECHNOLOGY INVENTION CONTAINING NUCLEOTIDE  
AND/OR AMINO ACID SEQUENCE**

1. This replies to the Office Communication (Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures) dated September 22, 2005. A copy of the Notice to Comply is enclosed.

---

**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\***

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

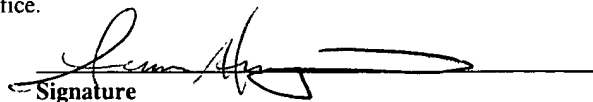
- ☒ deposited with the United States Postal Service in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
**37 C.F.R. SECTION 1.8(a)**

**37 C.F.R. SECTION 1.10\***

- ☒ with sufficient postage as first class mail. ☐ as "Express Mail Post Office to Addressee"  
Mailing Label No.

**TRANSMISSION**

- ☐ transmitted by facsimile to the Patent and Trademark Office.

  
Signature

Date: October 20, 2005

Sean Hunziker

(type or print name of person certifying)

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b). "Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

**IDENTIFICATION OF PERSON MAKING STATEMENT**

2. I, Tracy M. Sioussat  
(type or print name of person signing below)

state the following:

**ITEMS BEING SUBMITTED**

3. Submitted herewith is/are:

- A. ☒ Corrected "Sequence Listing(s)" for the nucleotide and/or amino acid sequence(s) in this application. Each "Sequence Listing" is assigned a separate identifier as required in 37 C.F.R. Section 1.821(c) and 37 C.F.R. Sections 1.822 and 1.823.
- B. ☒ An amendment to the description and/or claims, wherein reference is made to the sequence by use of the assigned identifier, as required in 37 C.F.R. Section 1.821(d).
- C. ☒ A copy of each "Sequence Listing" submitted for this application in computer readable form, in accordance with the requirements of 37 C.F.R. Sections 1.821(e) and 1.824.
- D. ☐ Please transfer to this application, in accordance with 37 C.F.R. Section 1.821(e), the computer readable copy(ies) from applicant's other application identified as follows:

In re application of:			
Application No.:		Group No.:	
Filed:		Examiner:	
For:			

The Computer readable form(s) of applicant's other application corresponds to the "Sequence Identifier(s)" of the application as follows:

Computer Readable Form	"Sequence Identifier"
(other application)	(this application)

- E. ☒ A statement that the content of each "Sequence Listing" submitted and each computer

**Practitioner's Docket No. MPI93-006CP1DV1ACN1DV1M**

readable copy are the same, as required in 37 C.F.R. Section 1.821(f).

☐ Because the statement is not made by a person registered to practice before the Office, the Statement is verified as required in 37 C.F.R. Section 1.821(b).

F. ☒ Because this submission is made in fulfilling the requirement under 37 C.F.R. Section 1.821(g), a statement that the submission includes no new matter.

☐ Because the statement is not made by a person registered to practice before the Office, the statement is verified, as required in 37 C.F.R. Section 1.821(g).

**STATEMENT THAT "SEQUENCE LISTING"  
AND COMPUTER READABLE COPY ARE THE SAME  
AND/OR THAT PAPERS SUBMITTED INCLUDES NO NEW MATTER**

4. I hereby state:

A. ☒ Each computer readable form submitted in this application, including those forms requested to be transferred from applicant's other application, is the same as the "Sequence Listing" to which it is indicated to relate.

B. ☒ All papers accompanying this submission, or for which a request for transfer from applicants' other application, introduce no new matter.

**EXTENSION OF TERM**

5. The proceedings herein are for a patent application and the provisions of 37 C.F.R. Section 1.136 apply.

(a) ☐ Applicant petitions for an extension of time under 37 C.F.R. Section 1.136 (fees: 37 C.F.R. Section 1.17(a)(1)-(4)) for the total number of months checked below:

<u>Extension</u> <u>(months)</u>	<u>Fee for other than</u> <u>small entity</u>	<u>Fee for</u> <u>small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 390.00	\$ 195.00
<input type="checkbox"/> three months	\$ 890.00	\$ 445.00
<input type="checkbox"/> four months	\$1,390.00	\$ 695.00

**Fee** \$0.00

If an additional extension of time is required, please consider this a petition therefor.

☐ An extension for \_\_\_\_\_ months has already been secured, and the fee paid therefor of  
\$0.00 is deducted from the total fee due for the total months of extension

Practitioner's Docket No. MPI93-006CP1DV1ACN1DV1M

now requested.

Extension fee due with this request \$0.00

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**FEE PAYMENT**

6. ☐ Attached is a check in the sum of \$\_\_\_\_\_.
- ☐ Charge Account No. 501668 the sum of \$0.00.  
A duplicate of this transmittal is attached.

**FEE DEFICIENCY**

8. ☒ If any additional extension and/or fee is required, charge Account No. 501668.

October 20, 2005

MILLENNIUM PHARMACEUTICALS, INC.

By Tracy M. Sibussat  
Tracy M. Sibussat, Ph.D.  
Attorney/Agent for Applicant  
Registration No. 50,609  
40 Landsdowne Street  
Cambridge, MA 02139  
Telephone – (617) 374-7679  
Facsimile – (617) 551-8820



<b>Notice to Comply</b>	<b>Application No.</b> 10/643,627	<b>Applicant(s)</b> Sundelin	
	<b>Examiner</b> David Guzo	<b>Art Unit</b> 1636	

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set in the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: Amino acid sequence in Fig. 5 not included in Sequence Listing.

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.**
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (571) 272-2510

For CRF Submission Help, call (571) 272-2501/2583.

PatentIn Software Program Support

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**